

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 09, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FERNANDO MAGANA-MENDOZA,

Defendant.

No. 1:18-CR-02056-SMJ-1

ORDER FOLLOWING STATUS
HEARING AND GRANTING
UNITED STATES' MOTION FOR
DETENTION

ECF No. 10

On Friday, November 9, 2018, the Court conducted a status hearing. Defendant appeared, in custody, with Assistant Federal Defender Jeffrey Dahlberg, and was assisted by federal court-certified interpreter Kenneth Barger. Assistant United States Attorney Benjamin Seal represented the United States. Defendant consented to proceed by video.

The United States represents this matter appropriately may proceed in an expedited manner. Defendant has signed and filed a waiver of the Fed. R. Crim. P. 32(e), (f), and (g) provisions as to the presentence investigation report. Accordingly, within 30 days, or sooner when practicable, of the date of this Order, the United States Probation Office is directed to prepare an expedited

1 presentence investigation report. Any information about Defendant, including
2 family and community ties, which defense counsel, after consultation with
3 Defendant, deems important to be included in the presentence investigation
4 report, shall be provided to the U.S. Probation Office within fourteen (14) days
5 of this Order.

6 The United States moved for detention (ECF No. 10). Defendant,
7 personally and through counsel, waived his right to a detention hearing.

8 **IT IS HEREBY ORDERED:**

9 1. The United States' Motion for Detention (**ECF No. 10**) is
10 **GRANTED.**

11 2. Defendant shall be committed to the custody of the Attorney General
12 for confinement in a corrections facility separate, to the extent practicable, from
13 persons awaiting or serving sentences or being held in custody pending appeal.

14 3. Defendant shall be committed to the custody of the Attorney General
15 pending disposition of this case or until further order of the court. If a party desires
16 this Court to reconsider conditions of release because of material and newly
17 discovered circumstances under 18 U.S.C. § 3142(f), that party shall file a motion
18 with the court, served upon the United States Attorney, stating what circumstances
19 are new, how they are established, and the requested change in conditions of
20 release.

1 4. Defendant shall be afforded reasonable opportunity for private
2 consultation with counsel.

3 5. On order of a court of the United States or on request of an attorney
4 for the United States, the person in charge of the corrections facility in which
5 Defendant is confined shall deliver Defendant to a United States Marshal for the
6 purpose of an appearance in connection with a court proceeding.

7 6. If a party seeks review of this Order by another court pursuant to 18
8 U.S.C. § 3145(b), counsel shall adhere to the Detention Order Review Protocol
9 found in L.Cr.R. 46(k).

10 7. Defendant is bound over to Judge Salvador Mendoza, Jr. for further
11 proceedings.

12 DATED November 9, 2018.

13 s/John T. Rodgers
14 JOHN T. RODGERS
 UNITED STATES MAGISTRATE JUDGE